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PTO/SB/21 (09-04) Application Number 10/797,146 ANSWITTAL Filing Date March 11, 2004 First Named Inventor Dinan, Timothy Art Unit 1614 **Examiner Name** Kantamneni, Shobha used for all correspondence after initial filing) Attorney Docket Number 025911-000600US In This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Amendment/Reply Petition (Appeal Notice, Brief, Reply Brief) Petition to Convert to a After Final Proprietary Information Provisional Application Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please identify Extension of Time Request Terminal Disclaimer below): Return Postcard Express Abandonment Request Request for Refund Information Disclosure Statement CD, Number of CD(s) Landscape Table on CD The Commissioner is authorized to charge any additional fees to Deposit Remarks Certified Copy of Priority Account 20-1430. Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Townsend and Townsend and Crew LLP Signature

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Signature Typed or printed name Aurora Lowell Date October 26, 2005

Reg. No.

45.979

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Date

Milań M. Vinnola

October 26, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Timothy Dinan, et al.

Application No.: 10/797,146

Filed: March 11, 2004

For: COMPOSITIONS AND METHODS

FOR THE TREATMENT OF **DEPRESSION AND OTHER** AFFECTIVE DISORDERS

Examiner: Kantamneni, Shobha

Art Unit: 1614

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR §1.97 and

Attorney Docket No.: 025911-000600US

Client Reference No.: NC 004

\$1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references [in compliance with the requirements of 1287 OG 163] are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed are copies of the Search and Examination reports issued in the corresponding PCT application.

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As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that <u>no fee is required</u> for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Milan M. Vinnola Reg. No. 45,979

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known Application Number 10/797,146 Filing Date March 11, 2004 First Named Inventor Dinan, Timothy Art Unit 1614 Examiner Name Kantamneni, Shobha 025911-000600US

(use as many sheets as necessary)

Sheet Attorney Docket Number

U.S. PATENT DOCUMENTS+						
		Document Number				
Examiner Initials*	Cite No. ¹	Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	AA	US-4,260,600	04/07/1981	` Valle		
	AB	US-				
	AC	US-				
	AD	US-			•	
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	AF	US-				

			1	FOREIGN PA	TENT DOCUME	ENTS		
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
		Country Code ³	. Number⁴	Kind Code ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁶
	AG	wo	02/102297	A2	12/27/2002	Müller		
	AH	wo	03/049687	A2	06/19/2003	Ehrenpreis		
	Al	wo	2004/032718	A2	04/22/2004	Tobinick		
	AJ							

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2			
	AK	Young-Xu et al., "Long term statin use and psychological well being", <u>J. Am. Cardiol.,</u> 42:690697 (August 2003)				
	AL	van Wes, et al., "Activation of the inflammatory response system: A new look at the etiopathogenesis of major depression," Neuroendocrinology Letters, 20: 11-17 (January 11, 1999)				

Examiner	·	Date	
Signature		Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.